IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA **ROANOKE DIVISION**

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DEMETRIUS HILL,)
Plaintiff,) Civil Action No. 7:08cv00283
v.) ODDUD
TERRY O'BRIEN, et. al.,) <u>ORDER</u>)
Defendants.	
) By: Hon. James C. Turk) Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that Defendants' Motion to Dismiss and Motion for Summary Judgment (Dkt. No. 62) is **GRANTED** in part and **DENIED** in part. Defendants' motion is **DENIED** with regard to Hill's claim of excessive force against Officer Crum arising from the November 1, 2007, incident and against Officer Taylor arising from the January 15, 2008, incident, and those claims are allowed to proceed. All of Hill's remaining claims are **DISMISSED** with prejudice. The parties may participate in any future hearings or trial in this case by video conferencing as far as practicable.

The Clerk of Court is directed to send a copy of this Order and accompanying Memorandum Opinion to Plaintiff and counsel of record for Defendants.